

JCWSCS 06 JAN 2005

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HOWSON AND HOWSON

PAGE 01/14

DT03 Rec'd PCT/PTO 06 JAN 2005

PTO/SB/21 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/831,047	
	Filing Date	May 3, 2001	
	First Named Inventor	Błaszczuk-Thurin et al.	
	Art Unit	1653	
	Examiner Name	S. Snedden	
Total Number of Pages in This Submission	14	Attorney Docket Number	WST93AUSA

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund	3 pp. Second Request for Correction of Filing Receipt with 5 Exhibits
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks Customer No. 00270	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	HOWSON AND HOWSON		
Signature	<i>Mary E. Bak</i>		
Printed name	Mary E. Bak		
Date	January 6, 2005	Reg. No.	31,215

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature	<i>Kelly A. Karstaedt</i>		
Typed or printed name	Kelly A. Karstaedt	Date	January 6, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

WST93AUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 09/831,047

Confirmation No.: 8220

Applicant : Blaszczyk-Thurin et al.

Filed : May 3, 2001

TC/A.U. : 1653

URGENT!!

Examiner : S. Snedden

Customer No. : 00270

Title : COMPOSITIONS AND METHODS FOR TREATMENT OF CANCER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

LETTER

Sir:

This letter is being filed to resubmit a Request for Correction of Filing Receipt, which was timely filed at the USPTO on May 9, 2002 to correct errors in the number of Independent Claims and the listing of Applicant(s). This paper is being filed after receipt of the Notice of Allowance dated December 27, 2004, but before payment of the issue fee due March 27, 2005.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date: January 6, 2005

Signature Kelly A. Karstaedt
Name Kelly A. Karstaedt

Enclosed as support for the timely filing of the Request for Correction of Filing Receipt are the following:

- (i) a two (2) page copy of the Request for Correction of Filing Receipt dated May 9, 2002 with accompanying transmittal papers (Exhibit AA);
- (ii) a one (1) page copy of a Postcard stamped by the USPTO indicating receipt of item (i) on May 22, 2002 by the USPTO (Exhibit BB);
- (v) a one (1) page copy of the Filing Receipt forwarded with the Request for Correction of Filing Receipt noting the errors in the number of independent claims and Applicant(s) (Exhibit CC);
- (vi) a two (2) page copy of the Transmittal Letter, which was filed with the application on May 3, 2001, and correctly recites the total number of independent claims as "10" (Exhibit DD); and
- (vi) a two (2) page copy of the Declaration, which was filed with the application on May 3, 2001, and correctly states the inventorship for this application as "Magdalena Blaszczyk-Thurin, Philadelphia, PA; Thomas Kieber-Emmons, Newtown Square, PA", and was forwarded with the Request for Correction of Filing Receipt (Exhibit EE).

Applicants respectfully assert that the above-indicated documents were timely filed at the United States Patent and Trademark Office in order to correct the following two errors in the Filing Receipt:

- Error 1: the number of Independent Claims should be 10, not 41; and
- Error 2: the listing of Applicant(s) should include Thomas Kieber-Emmons, Newtown Square, PA, so that the listing of Applicant(s) is correctly noted on the patent.

Applicants request correction of these two items.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,

HOWSON AND HOWSON
Attorneys for Applicants

By Mary E. Bak
Mary E. Bak
Registration No. 31,215
Spring House Corporate
Center, Box 457
Spring House, PA 19477
Telephone: (215) 540-9200
Telefacsimile: (215) 540-5818

Exhibit AA



00270

PATENT TRADEMARK OFFICE

WST93AUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of) Group Art Unit: 1632
Magdalena Blaszczyk-Thurin et al) Examiner:
Appln. No. 09/831,047)
Filed: May 3, 2001)
For: COMPOSITIONS AND METHODS FOR) May 9, 2002
TREATMENT OF CANCER)

Assistant Commissioner for Patents
Office of Initial Patent Examination
Customer Service Center
Washington, DC 20231

REQUEST FOR CORRECTION OF FILING RECEIPT

Sir:

Enclosed is a copy of the Filing Receipt received in the above-identified patent application. An error in the list of Applicant(s) for this application has been noted and correction to same is marked in red on the attached copy of the Filing Receipt (Exhibit A). Copies of the executed Declaration and Power of Attorney forms (Exhibit B) are attached to show the correct names of the Applicants. Further, Applicants and the undersigned attorney note that the Filing Receipt indicates that there are a total of (41) independent claims in this application. Copies of Applicants Fee Transmittal Letters (Exhibit C) are attached showing the total number of independent claims paid for in this application.

CERTIFICATE UNDER 37 CFR §1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: the Assistant Commissioner for Patents, Washington, DC 20231 on May 9, 2002.

Signature

Typed or printed name

Debra N. Gerstermeier

Applicants respectfully request that the official filing receipt for this application be corrected to reflect the correct names of the Applicants as well as the correct number of independent claims.

The Director of the U. S. Patent and Trademark Office is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees paid on the filing, or during prosecution of this application to Deposit Account No. 08-3040.

Respectfully submitted,

HOWSON AND HOWSON
Attorneys for the Applicants

By Mary E. Bak
Mary E. Bak
Registration No. 31,215
Spring House Corporate Center
Box 457
Spring House, PA 19477
Telephone: (215) 540-9206
Telefacsimile: (215) 540-5818



00270

PATENT TRADEMARK OFFICE PTO/SB/21 (08-00)
Approved for use through 10/31/2002, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/831,047	
	Filing Date	05/05/2001	
	First Named Inventor	Magdalena Blaszczyk-Thurin et al	
	Group Art Unit	1632	
	Examiner Name		
Total Number of Pages in This Submission	13	Attorney Docket Number	WST93AUSA

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	2 pgs. Request for Correction of
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Filing Receipt w/Exhibits A, B, and C
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	Remarks	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Mary E. Bak, Esquire Howson and Howson
Signature	<i>Mary E. Bak</i>
Date	<i>May 9, 2002</i>

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: 05/09/2002			
Typed or printed name	Debra N. Gerstemeier		
Signature	<i>Debra N. Gerstemeier</i>	Date	<i>5-9-2002</i>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PATENT
 Serial No. 09/831047 Doc. No. 2573401A Atty./Sec. MBS/ly Date 5-9-2002
 Inventor Marydona Husek-K-Town Client WSS
 Title Compositions and Methods for Treatment of Cancer
 The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> pp. Spec., <input type="checkbox"/> Claims, <input type="checkbox"/> Abstract	<input type="checkbox"/> pp. Amendment: OA dtd
<input type="checkbox"/> pp. Declaration/Power of Attorney	<input type="checkbox"/> pp. Response: OA dtd
<input type="checkbox"/> pp. Verified Statement (Small Entry)	<input checked="" type="checkbox"/> 1 pp. Transmittal Letter
<input type="checkbox"/> shts. Informal Drawings	<input type="checkbox"/> Issue Fee
<input type="checkbox"/> shts. Formal Drawings	<input type="checkbox"/> Notice of Appeal & Fee
<input type="checkbox"/> pp. Assignment	<input type="checkbox"/> Check # <u>244</u> for \$ <u>244.00</u>
<input type="checkbox"/> pp. Preliminary Amendment	<input type="checkbox"/> <u>244.00</u> for <u>244.00</u>
<input type="checkbox"/> pp. Extension of Time	<input type="checkbox"/> <u>244.00</u> for <u>244.00</u>
<input type="checkbox"/> pp. Information Disclosure Statement with PTO-1449 and <u>references</u>	<input type="checkbox"/> <u>244.00</u> for <u>244.00</u>

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail.

Respectfully,
 HOWSON AND HOWSON

MBS

Exhibit BB

✓

PATENT
Serial No. 01831047 Doc. No. USPT3401A Atty/Sec MBS Date 5-9-2002
Inventor Magdalena Biesek-K-Sauer Client W3
Title Composition of matter for treatment of cancer

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> pp. Spec.,	<input type="checkbox"/> Claims,	<input type="checkbox"/> Abstract	<input type="checkbox"/> pp. Amendment: OA dtd
<input type="checkbox"/> pp. Declaration/Power of Attorney	<input type="checkbox"/> pp. Response: OA dtd	<input checked="" type="checkbox"/> pp. Transmittal Letter	
<input type="checkbox"/> pp. Verified Statement (Small Entity)	<input type="checkbox"/> Issue Fee	<input type="checkbox"/> Notice of Appeal & Fee	
<input type="checkbox"/> shts. Informal Drawings	<input type="checkbox"/> Check #	<input type="checkbox"/> for \$	
<input type="checkbox"/> shts. Formal Drawings	<input checked="" type="checkbox"/> 244 Request for Correction	<input checked="" type="checkbox"/> of Entry Sheet in Exhibits	
<input type="checkbox"/> pp. Assignment	<input type="checkbox"/> A.B.C.		
<input type="checkbox"/> pp. Preliminary Amendment			
<input type="checkbox"/> pp. Extension of Time			
<input type="checkbox"/> pp. Information Disclosure Statement			
<input type="checkbox"/> with PTO-1449 and			

with PTO-1449 and DATE: 5-9-2002 References

The Patent and Trademark Office is respectfully requested to place its stamp on this postal card and place it in the outgoing mail.

Respectfully,
HOWSON AND HOWSON
MBS

Exhibit CC

Page 1 of 2

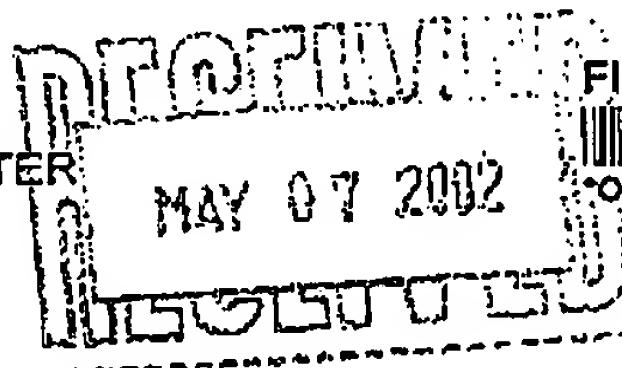


UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/831,047	05/03/2001	1646	814	WST93AUSA	5	41	010

CONFIRMATION NO. 8220

00270
HOWSON AND HOWSON
ONE SPRING HOUSE CORPORATION CENTER
BOX 457
321 NORRISTOWN ROAD
SPRING HOUSE, PA 19477

FILING RECEIPT

OC000000007961090

Date Mailed: 04/30/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections, facsimile number 703-746-9195. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Magdalena Blaszczyk-Thurin, Philadelphia, PA;

Thomas Kieber-Emmons, Newtown Square, PA

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/US99/26277 11/05/1999
WHICH CLAIMS BENEFIT OF 60/107,478 11/06/1998

Foreign Applications

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

Non-Publication Request: No

Early Publication Request: No

SMALL ENTITY

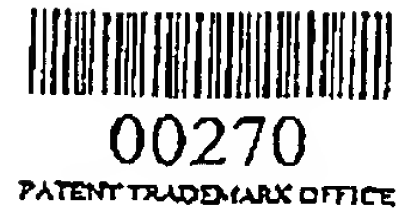
Title

Compositions and methods for treatment of cancer

Preliminary Class

Exhibit A

Exhibit DD



Attorney's Docket No.: WST93AUSA

TRANSMITTAL LETTER TO THE U.S. ELECTED OFFICE
(EO/US) - ENTRY INTO NATIONAL STAGE UNDER 35 USC 371PCT/US99/26277

International Application No.

5 November 1999

International Filing Date

6 November 1998

Priority Date Claimed

COMPOSITIONS AND METHODS FOR TREATMENT OF CANCER

Title of Invention

Magdalena Blaszczyk-Thurin and Thomas Kieber-Emmons

Applicant(s) for EO/US

Box PCT
Assistant Commissioner for Patents
Washington, DC 20231
Attn: EO/US

Sir:

Applicant herewith submits to the United States Elected Office
(EO/US) the following items under 35 USC 371:

- (1) This express request to immediately begin national examination procedures (35 USC 371(f)).
- (2) A copy of the cover sheet for the published International Application along with a copy of the specification as filed: 106 pages, including 7 pages of claims, 5 sheets of drawings, 36 pages of Sequence Listing, and a copy of the 1 page International Search Report.
- (3) a copy of the 5 page Request form.
- (4) a first Preliminary Amendment for entry prior to calculation of the filing fees.
- (5) our check in the amount of \$796.00, covering the basic national fee as set forth in 37 CFR 1.492(a)(1) and based on the first Preliminary Amendment (39 total claims; 10 independent; and no multiple dependent).

Express Mail No. ET 033649102 US

- (6) A Second Preliminary Amendment.
- (7) Our check in the amount of \$18.00, covering the extra claim fees after entry of the second Preliminary Amendment (41 total claims; 10 independent; and no multiple dependent).
- (8) Two (2) (4 pages) executed Combined Declaration and Power of Attorney forms.
- (9) A 36 pages Sequence Listing (provided in specification).
- (10) A 3.5" computer-readable diskette.
- (11) A 1 page Statement under 37 CFR §1.821(f) and §1.825(a) and (b).

Copies of the following miscellaneous items are also enclosed:

- (12) Copy of the 4 page Demand for International Preliminary Examination.
- (13) Copy of the 4 page Written Opinion.
- (14) Copy of the 5 page International Preliminary Examination Report.

Please charge any additional fees which may be required to effect entry into the National Phase and credit any overpayment to Deposit Account No. 08-3040.

Please direct all communications concerning this application to the undersigned.

Respectfully submitted,

HOWSON AND HOWSON
Attorneys for the Applicants

By Mary E. Bak
Mary E. Bak
Registration No. 31,215
Spring House Corporate Center
Box 457
Spring House, PA 19477
Telephone: (215) 540-9206
Telefacsimile: (215) 540-5818